

**REMARKS**

**N.B.** Applicant respectfully requests Examiner Saint Surin to acknowledge receipt of Applicant's claim to foreign priority by, in the next PTO Communication, checking the boxes 12a)1. on a Form PTOL-326.

To perfect Applicant's claim to the German priority date of **October 4, 2002**, Applicant encloses a certified copy of the German priority application 102 46437.5.

Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claims 1-7 under 35 U.S.C. § 112, second paragraph, in view of the above amendments and the following remarks.

Applicant does not agree that these claims are "indefinite", as they are written in acceptable European format, and Applicant certainly does not agree that these claims are "replete with grammatical and idiomatic errors". In an effort to overcome this rejection, the undersigned attorney has amended the claims to place them in the more traditional U.S. format; however, if the Examiner feels that further amendments are required to overcome this rejection, Applicant respectfully requests the Examiner to call the undersigned attorney to discuss the matter.

Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Ramm '833 (filed **November 8, 2002**), in view of Wang '708, as Ramm '833 is **disqualified** as a reference against this application in view of Applicant's perfected claim to the German priority date of **October 4, 2002**.

Therefore, Applicant respectfully requests the Examiner now to **allow claims 1-7**.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. APPLN. NO. 10/529,470

New "method" claim 8 recites the method invention in a manner different from that of the original method claim 1, and new apparatus claim 9 recites the apparatus invention in a manner different from that of the original apparatus claim 2. The new dependent apparatus claims 10-14 correspond to the original apparatus claims 3-7.

In summary, then, Applicant respectfully requests the Examiner to reconsider and withdraw the rejections under 35 U.S.C. § 112, second paragraph, and 103(a) to be in condition for allowance with all of claims **1-14**; however, if for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,

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**23373**

CUSTOMER NUMBER

Date: March 30, 2007